



**STATE OF HAWAII
FURLOUGH PLAN
UPW Bargaining Unit 1**

Plan Summary

For the purposes of this plan, a furlough is defined as the placement of an employee temporarily and involuntarily in a non-pay and non-duty status by the Employer because of lack of work or funds, or other non-disciplinary reasons.

This furlough plan applies to all Executive Branch employees of the State of Hawaii under the authority of the Governor who are members of UPW bargaining unit 1.

Full-time State Executive Branch employees under the authority of the Governor will be placed on furlough for a total of thirty-seven (37) days during the furlough plan period, effective January 1, 2010 through June 30, 2011. Full-time employees will be furloughed thirteen (13) days effective January 1, 2010 through June 30, 2010, and twenty-four (24) days effective July 1, 2010 through June 30, 2011.

Part-time employees under this furlough plan will be placed on furlough on a pro-rated equivalent basis. For example, those who work 20 hours per week will be placed on furlough for a total of eighteen and one-half (18 ½) days, instead of thirty-seven (37) days during the furlough plan period.

This plan does not assure continued employment during the furlough period specified herein.

General provisions of the furlough plan are as follows:

1. The furloughs shall be applicable to affected employees, regardless of the means of financing for their positions.
2. Employees' base pay will be automatically adjusted each pay period to account for the furlough days. All furlough days shall be taken by June 30, 2011.
 - a. For the pay period beginning March 16, 2010 through March 31, 2010, full-time employees' base pay will be automatically adjusted for one (1) furlough day. For the pay periods beginning April 1, 2010 through June 30, 2010, full-time employees' base pay will be automatically adjusted for two (2) furlough days each pay period.

Thereafter, for the pay periods beginning July 1, 2010 through June 30, 2011, full-time employees' base pay will be automatically adjusted for one (1) furlough day each pay period.

All other employees' base pay will be automatically adjusted by using the employees' full-time equivalent (FTE) in computing the number of furlough days and/or hours to be applied each pay period.

- b. The furlough pay adjustments will be reflected in the paychecks received by affected employees, beginning from:
 - April 5, 2010, if hired before July 1, 1998, or
 - April 20, 2010, if hired on or after July 1, 1998.
3. A Department Head or Department Head's designee will determine when employees are to take furlough days based on operational needs. A Department Head or Department Head's designee may permit employees to request the days on which to take furloughs.
4. If, as directed by the Department Head or the Department Head's designee, an employee does not take the applicable number of furlough days during a particular pay period because of operational reasons, the employee's furlough pay adjustment shall be adjusted accordingly. Such employee shall take the untaken furlough day(s) within the same fiscal year, as directed by the Department Head or the Department Head's designee, with the appropriate pay adjustment(s) made when the furlough day(s) are taken.

Each Department Head or the Department Head's designee shall make every effort to ensure that the employee is given the opportunity to take such furlough day(s) as soon as operationally feasible.

5. In situations where a Department Head or the Department Head's designee permits an employee to request the day(s) on which to take a furlough(s) such request is subject to approval by the Department Head or the Department Head's designee. The Department Head or the Department Head's designee retains discretion to determine when furlough days are taken based on operational needs.
6. Employees who already work other than a normal eight-hour workday (e.g., 4 day/10-hour alternative workweek) may use vacation, compensatory time off, or work to make up the difference between the eight-hour furlough day and the actual hours the employee was scheduled to work. Subject to approval of the Department Head or the Department Head's designee the employee may revert to a regular eight (8) hour, five (5) day work week schedule for any week which includes a furlough day.

Example: In the situation where an employee who is scheduled to work ten (10) hours on Friday and Friday is a furlough day off, the employee will be required to charge two (2) hours of vacation or compensatory time off, or work two (2) hours.

7. Employees shall not be permitted to substitute vacation, sick, compensatory time-off, or any paid leave for the furlough day(s).
8. Employees on workers' compensation leave shall have their supplemental pay benefits (i.e., sick/vacation pay) adjusted to account for the furloughs, as may be necessary.

9. Any furlough days which have been taken by an employee shall not be included in computing whether an employee is entitled to overtime pay (for example, in determining whether an employee has worked more than forty (40) hours in a week, any furlough days/hours taken shall not count as part of those forty (40) hours).
10. Furloughs shall not cause or be deemed to cause:
 - a. A break of continued service in a furloughed employee's employment;
 - b. A decrease in the Employer's contribution to the Hawaii Employer-Union Health Benefits Trust Fund;
 - c. A change in the amount of vacation or sick leave earned by furloughed employees;
 - d. A decrease in the furloughed employee's length of service for purposes of the employee's retirement and deferred compensation plans;
 - e. Any change in the classification of an employee's position; or
 - f. Any change in an employee's salary range.
11. The salary schedule in effect on June 30, 2009 shall remain in effect until June 30, 2011.